

# UNITED STATES DISTRICT COURT

for the

Western District of Texas

Arturo Cardona

*Plaintiff(s)*

v.

Rio Construction, Inc.

*Defendant(s)*

Civil Action 1:24-cv-1504-DII

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Defendant Jerry Bishop  
2203 Innovation Blvd  
Hutto Texas 78634  
Or wherever else he may be found.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Douglas B. Welmaker  
Welmaker Law PLLC  
409 N. Fredonia, Suite 118  
Longview, Texas 75601

**Proof of Service  
Attached**

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 01/15/2025



**Phillip J. Devlin**  
CLERK OF COURT

*Christina Cordero*  
Signature of Clerk or Deputy Clerk

UNITED STATES DISTRICT COURT  
for the Western District of Texas

Arturo Cardona, Plaintiff § Civil Action No. 1:24-cv-1504-DII  
vs. §  
Rio Construction, Inc., et al, Defendants § **PROOF OF SERVICE AFFIDAVIT**

Before me, the undersigned authority, personally appeared Tod E. Pendergrass, to me well known, after being duly sworn, did depose and say:

"My name is Tod E. Pendergrass. I am over eighteen (18) years of age and not a party to or interested in the outcome of this case. My address is 516 West Annie, Austin, Texas 78704, United States of America. Pursuant to Texas Government Code Section 156.001.(2), I am certified as a process server by the Judicial Branch Certification Commission under Order of the Texas Supreme Court to serve process; certification no. PSC1660, exp. 11/30/2025.

Came to hand on January 15, 2025, at 2:37 p.m. Summons in a Civil Action with Plaintiff's Original Complaint for service on Defendant Jerry Bishop.


Executed on January 22, 2025, at 12:45 p.m., by delivering to Defendant Jerry Bishop via U.S.P.S. certified mail, return receipt requested, at 2203 Innovation Blvd., Hutto, Texas 78634. (Return receipt attached as Exhibit 1.)

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service and Statement of Service Fees is true and correct."

Printed Name: Tod E. Pendergrass

Service Fee \$ 92.00


Re: Welmaker/5010-B

  
\_\_\_\_\_  
Signature of non-party adult  
DRLS, 516 W. Annie Street  
Austin, Texas 78704

STATE OF TEXAS

Before me, a notary public, on this day personally appeared the above-named person, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements/facts therein contained are within his/her personal knowledge to be true and correct. Given under my hand and seal of office on January 28, 2025.



  
\_\_\_\_\_  
NOTARY PUBLIC in and for the State of TEXAS  
[Form pursuant to FRCP 4(l)(1)]


SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> <i>Callie Miller</i> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)  <input checked="" type="checkbox"/> <i>Callie Miller</i></p> <p>C. Date of Delivery  <input checked="" type="checkbox"/> <i>1/22/25</i></p>
<p>1. Article Addressed to:</p> <p><b>Jerry Bishop  2203 Innovation Blvd.  Hutto, Texas 78634</b></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input type="checkbox"/> No</p>
 9590 9402 8850 4005 9570 25	<p>3. Service Type</p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Adult Signature  <input type="checkbox"/> Adult Signature Restricted Delivery  <input type="checkbox"/> Certified Mail®  <input type="checkbox"/> Certified Mail Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery </div> <div> <input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Signature Confirmation Restricted Delivery </div> </div>
9589 0710 5270 0393 4373 50	Mail Restricted Delivery (over 5000)
PS Form 3811, July 2020 PSN 7530-02-000-9053	<b>5010-B</b> Domestic Return Receipt

EXHIBIT 1